

# **The Zoning Ordinance for the Town of Fountain Hills**

## **Chapter 14**

### **UTILITY ZONING DISTRICT**

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### **Section 14.01 Purpose.**

The principal purpose of the Utility Zoning District (UT) is to provide areas for the placement the public works and utility operations in Town. The primary purpose of designating these Zoning Districts is to identify an area for wastewater treatment facility and Town public works yards. This Zoning District may also permit adult entertainment.

### **Section 14.02 Use Regulations.**

A building or premises shall be used only for the following purposes:

- A. Wastewater Treatment Facilities.
- B. Public Works Maintenance and Storage Facilities
- C. Publicly and privately owned or operated fire and/or police stations
- D. Utility services, but not including office, generating stations, and wireless communications towers and antennas unless otherwise specifically permitted elsewhere in the ordinance.

### **Section 14.03 Special Use.**

A building or premise may be used for an adult oriented facility, (See Definitions, Chapter 1, Section 1.12), with no alcoholic beverages, by a Special Use Permit only.

### **Section 14.04 Height Regulations.**

The height of buildings shall not exceed thirty (30) feet.

### **Section 14.05 Yard Regulations.**

The required yards are as follows:

- A. There shall be a front yard having a depth of not less than twenty-five (25) feet.
- B. There shall be a side yard on each side of a building having a width of not less than fifteen (15) feet.
- C. There shall be a rear yard having a depth of not less than twenty-five (25) feet.

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### **Section 14.06 Intensity of Use Regulations.**

The intensity of use regulations are as follows:

- A. **Lot Area:** Each lot shall have a minimum area of five (5) acres.
- B. **Lot Width:** Minimal lot width shall be one-hundred (100) feet
- C. **Lot Area per Building:** The minimum lot area per building shall be one (1) acre.
- D. **Distance Between Building:** The minimum distance between buildings on the same lot shall be fifteen (15) feet.

### **Section 14.07 Additional Regulations.**

In the Utility Zoning District, the additional regulations are as follows:

- A. Any outdoor lighting shall be in conformance with provisions in Chapter 8 hereof. Any outdoor lighting shall be placed so as to reflect light away from any adjoining residential Zoning District.
- B. Required yards adjacent to any street shall be landscaped and shall not be occupied by any use or structure including parking or loading spaces except for drives and roadways, signs and lighting as permitted in this Ordinance.
- C. Site Enclosure and Screening Requirements. Industrial sites and/or uses shall be enclosed to provide effective site screening from adjoining properties, uses or streets by the use of walls, berms and landscape plantings or combinations thereof as follows:
  - 1. Automobile parking areas shall be screened from the view of any adjacent residential zoning district. All parking areas shall be landscaped by at least ten (10) feet of landscaping.
  - 2. A solid masonry, concrete or earthen product wall not less than eight (8) feet in height or approved landscaped berms, or combinations thereof shall be required along and adjacent to any side or rear property line abutting any residential zone boundary, or any alley abutting such zone boundary. Further, any access gates shall be constructed of view-obscuring materials to provide effective site screening. Approval of the alternative screening methods listed above shall be by the Commission upon recommendation of the staff.
  - 3. Any outdoor use of an industrial nature is permitted, such use shall be screened to a height of not less than eight (8) feet in height by building walls, a solid masonry, concrete or earthen product wall, approved landscaped berms, or combinations thereof. No outdoor industrial use or enclosure thereof shall encroach into any required setback area, adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure. Approval of the alternative screening methods listed above shall be by the Commission upon recommendation of the staff.

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4. Landscape Requirements. Minimum site landscape requirements are as follows: (Note: the Town Council or the Planning and Zoning Commission may impose additional landscape requirements.)
  - a. Any part of a site not used for buildings, parking, driveways, storage, loading, sidewalks, etc. shall be landscaped and maintained in accordance with an approved landscape plan.
  - b. Not less than five (5) percent of all vehicle storage or parking areas, nor less than eight (8) percent of the total net lot area, shall be landscaped and continuously maintained in a healthy condition. The landscaped area within the storage and parking areas shall not be included in the calculation for the minimum eight (8) percent landscaping requirement for the total net lot area.
  - c. Landscaped areas shall include an approved mixture of drought tolerant or other plant materials, and organic and non-organic ground cover materials. The approval of the above mixture of landscape materials shall be by the Community Development Department staff with appeal to the Planning and Zoning Commission.
  - d. An automatic irrigation system shall be provided and maintained to all landscaped areas requiring water.
  - e. All landscaped areas adjacent to vehicular parking and access areas shall be protected by six (6) inch vertical concrete curbing in order to control storm water flows and minimize damage by vehicular traffic.
5. All uses shall be maintained in such a manner that they are neither obnoxious nor offensive by reason of emission of odor, dust, smoke, gas, noise, vibration, electromagnetic disturbance, radiation or other similar causes detrimental to the public health, safety or general welfare.

### **Section 14.08 General Provisions.**

The General Provisions in Chapter 5 shall apply.

### **Section 14.09 Signs.**

The sign regulations in Chapter 6 shall apply.

### **Section 14.10 Parking and Loading.**

The parking and loading regulations in Chapter 7 shall apply.

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### **Section 14.11 Outdoor Lighting.**

The outdoor lighting provisions of Chapter 8 shall apply.

### **Section 14.12 Plan Review.**

The provisions of Section 2.04 shall apply.